

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

TEAM WORLDWIDE CORPORATION,

**Plaintiff,**

v.

ACADEMY, LTD d/b/a ACADEMY SPORTS +  
OUTDOORS,

**Defendant.**

Case No. 2:19-cv-00092-JRG-RSP

LEAD CASE

ACE HARDWARE CORPORATION,

AMAZON.COM, INC, AMAZON.COM LLC,

BED BATH & BEYOND INC.,

COSTCO WHOLESALE CORPORATION,

DICK'S SPORTING GOODS, INC.,

THE HOME DEPOT, INC.,

MACY'S, INC., MACY'S.COM, LLC,

TARGET CORPORATION, and TARGET  
BRANDS, INC.,

SEARS, ROEBUCK AND CO., SEARS  
HOLDINGS CORPORATION, and  
TRANSFORM HOLDCO LLC,

**Defendants.**

Case No. 2:19-cv-00093-JRG-RSP

Case No. 2:19-cv-00094-JRG-RSP

Case No. 2:19-cv-00095-JRG-RSP

Case No. 2:19-cv-00096-JRG-RSP

Case No. 2:19-cv-00097-JRG-RSP

Case No. 2:19-cv-00098-JRG-RSP

Case No. 2:19-cv-00099-JRG-RSP

Case No. 2:19-cv-00100-JRG-RSP

Case No. 2:20-cv-00006-JRG-RSP  
CONSOLIDATED CASES

**JOINT MOTION TO SUBSTITUTE PARTIES**

Plaintiff Team Worldwide Corporation and Defendant The Home Depot, Inc. submit this Joint Motion to Substitute Parties and a Proposed Order granting the Motion. Team Worldwide Corporation and The Home Depot, Inc., at the request of The Home Depot, Inc., jointly request that the Court dismiss The Home Depot, Inc. without prejudice as allowed under Rule 41(a)(2) of the Federal Rules of Civil Procedure and add Home Depot Product Authority, LLC and Home Depot U.S.A., Inc. as defendants in Case No. 2:19-cv-00098-JRG-RSP such that all claims made against The Home Depot, Inc. are now instead made against Home Depot Product Authority, LLC and against Home Depot U.S.A., Inc.

As such, Home Depot U.S.A., Inc. and Home Depot Product Authority, LLC represent that:

1. Home Depot U.S.A., Inc. and Home Depot Product Authority, LLC will not challenge venue in this case;
2. For purposes of discovery in this case, documents and information in the possession, custody or control of The Home Depot, Inc. or any of its subsidiaries are deemed also to be in the possession, custody and control of Home Depot U.S.A., Inc. and/or Home Depot Product Authority, LLC. Home Depot U.S.A., Inc. and Home Depot Product Authority, LLC will not object to a request for deposition on the grounds that the prospective deponent is an employee of The Home Depot, Inc. or any of its subsidiaries;
3. Home Depot U.S.A., Inc. and Home Depot Product Authority, LLC are the proper parties to defend against allegations made in this patent infringement lawsuit. Furthermore, Home Depot U.S.A., Inc. and Home Depot Product Authority, LLC

or any of their assignees are able to satisfy any judgment against them in this case. Home Depot U.S.A., Inc. and Home Depot Product Authority, LLC each warrant and represent that they will not take any action that will cause Home Depot U.S.A., Inc. and Home Depot Product Authority, LLC to be unable to fully satisfy any judgment entered in this case.

Date: March 30, 2020

By: /s/ Corrine Saylor Davis w/permission  
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**ATTORNEYS FOR DEFENDANTS**

**Academy, LTD d/b/a Academy Sports + Outdoors, Ace Hardware Corporation, Amazon.com, Inc., Amazon.com LLC, Bed Bath & Beyond, Inc., Costco Wholesale Corporation, Dick's Sporting Goods, Inc., The Home Depot, Inc., Macy's, Inc., Macys.com, LLC, Target Corporation, and Target Brands, Inc.**

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing document was filed electronically in compliance with Local Rule CV-5(a). Therefore, this document was served on all counsel who are deemed to have consented to electronic service on this the 30<sup>th</sup> day of March, 2020.

/s/ Charles Everingham IV

Charles Everingham IV